

NOV 27 2019

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

FILED

|                             |   |                               |
|-----------------------------|---|-------------------------------|
| STURM, RUGER & CO., INC.    | ) |                               |
|                             | ) |                               |
| Plaintiff,                  | ) |                               |
|                             | ) |                               |
| v.                          | ) |                               |
|                             | ) |                               |
| AMERICAN OUTDOOR BRANDS     | ) | Civil Action No. 19-cv-801-JL |
| CORPORATION, SMITH & WESSON | ) |                               |
| INC.                        | ) |                               |
| and                         | ) |                               |
| THOMPSON/CENTER ARMS,       | ) |                               |
| COMPANY, LLC,               | ) |                               |
|                             | ) |                               |
| Defendants.                 | ) |                               |

PLAINTIFF'S EXHIBIT LIST

| Exhibit   | Description                                                      |
|-----------|------------------------------------------------------------------|
| ✓ 1 (ID)  | July 25, 2019 Secondary Meaning Survey Report By Eugene Ericksen |
| ✓ 2 (ID)  | July 25, 2019 Confusion Survey Report By Eugene Ericksen         |
| ✓ 3 (ID)  | Links to Confusion Survey                                        |
| 4 (ID)    | Pine Tree Castings Brochure                                      |
| ✓ 5 (ID)  | .44 Ruger Magnum Carbine Photo                                   |
| ✓ 6 (ID)  | .44 Ruger Magnum Carbine -Serial No. 93919 *                     |
| 7 (ID)    | 1964 Ruger Advertisement for .44 Magnum and 10/22 Carbine        |
| 8 (ID)    | 1964 Ruger Advertisement for New 10/22                           |
| 9 (ID)    | Excerpt from 10/22 Manual                                        |
| ✓ 10 (ID) | Ruger 10/22 Photo Model 1103                                     |
| ✓ 11 (ID) | Ruger 10/22 Serial No. 0014-21191 *                              |
| ✓ 12 (ID) | Ruger 10/22 Photos Model 1151                                    |
| ✓ 13 (ID) | Ruger 10/22 Photos Model 1256                                    |
| ✓ 14 (ID) | Ruger 10/22 Photo Model 1261                                     |
| 15 (ID)   | Ruger 10/22 Photo Model 31139                                    |
| 16 (ID)   | Ruger 10/22 Photo Model 31145                                    |
| 17 (ID)   | Photo of Marlin Model 60                                         |
| ✓ 18 (ID) | Photos of the Winchester Wildcat                                 |
| ✓ 19 (ID) | Photos of the Sabatti Semi Auto .22 Sport                        |
| ✓ 20 (ID) | Photos of the T/CR22                                             |
| ✓ 21 (ID) | T/CR22 Serial No. JLM3618 *                                      |

| Exhibit |                                                                      |
|---------|----------------------------------------------------------------------|
| 22 (X)  | Jon Draper Video "Sunday Gunday"                                     |
| 23 (X)  | Ruger 10/22 Variations PowerPoint • <i>A subject</i>                 |
| 24 (X)  | Photos of Rifles at Parros, Waterbury, VT                            |
| 25 (ID) | Photos of rifles at Dicks Sporting Goods, Concord, NH                |
| 26 (X)  | Photos of rifles from Bass Pro Shops in Hooksett, NH                 |
| 27 (X)  | Photos of rifles from Cabelas, Sidney, NE                            |
| 28 (ID) | Photos of rifles from Bass Pro Shops, Bridgeport, CT                 |
| 29 (X)  | Photos of rifles from Cabelas, League City TX                        |
| 30 (X)  | Photos of rifles from Gunnies, Ore., UT                              |
| 31 (X)  | Photos of rifles from Kentucky Guns, Louisville, KY                  |
| 32 (ID) | 9/10/18 Email String from Danielle Sanville to Drake Clark           |
| 33 (X)  | Magpul Website                                                       |
| 34 (ID) | Outdoor Sportsman Group Website                                      |
| 35 (ID) | May 9, 2018 - NRA Shooting Illustrated Article                       |
| 36 (ID) | August 21, 2018 - NRA Shooting Illustrated Article                   |
| 37 (ID) | December 13, 2018 Truth About Guns Article                           |
| 38 (ID) | Side-By-Side Comparison Component Parts                              |
| 39 (ID) | Declaration of Jan Whalen                                            |
| 40 (ID) | Photo of Performance Center With Hogue Overmolded                    |
| 41 (X)  | Ruger Ghost Rail Peep Sight Photo                                    |
| 42 (ID) | Ruger Goes Magnum Advertisement                                      |
| 43 (ID) | Ruger 10/22 Advertisements                                           |
| 44 (X)  | Third Party Publications Referencing Ruger 10/22                     |
| 45 (ID) | Declaration of Robert Werkmeister                                    |
| 46 (ID) | Declaration of Christopher Killoy                                    |
| 47 (X)  | 2 Aftermarket 10/22 Stocks                                           |
| 48 (ID) | Expert Report of Seth Bredbury                                       |
| 49 (X)  | Long Gun Study Part 1                                                |
| 50 (X)  | Long Gun Study Part 2                                                |
| 51 (ID) | T/CR22 Product Information - Sanville Depo Ex. 2                     |
| 52 (ID) | 6/2/18 Email String Re OSG - Sanville Depo Ex. 3                     |
| 53 (X)  | Advertising Expenses - Sanville Depo Ex. 4                           |
| 54 (X)  | Petersen's Advertisement - Sanville Depo Ex. 5                       |
| 55 (X)  | North American Whitetail Advertisement - Sanville Depo Ex. 6         |
| 56 (X)  | Shooting Times Advertisement - Sanville Depo Ex. 7                   |
| 57 (ID) | T/CR22 Press Release - - Sanville Depo Ex. 8                         |
| 58 (ID) | 7/26/18 Email Re American Hunter- Sanville Depo Ex. 10               |
| 59 (ID) | 10/29/18 Email Ms. Sanville to Mr. Spafford - - Sanville Depo Ex. 11 |
| 60 (ID) | 6/18/18 Mr. Grazio Email- Sanville Depo Ex. 12                       |
| 61 (ID) | 6/18/18 Sanville Email String With Magpul - Sanville Depo Ex. 14     |
| 62 (ID) | 9/10/18 Sanville Email String with Magpul- Sanville Depo Ex. 15      |
| 63 (X)  | Magpul Products For Smith & Wesson - -Sanville Depo Ex. 18           |



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|----------|--------------------------------------------------------------------------------------------|
| 64(ID)   | 6/21/17 Email Ms. Sanville with Mr. Unger- Sanville Depo Ex. 25                            |
| 65(ID)   | 6/22/17 Ms. Sanville Email re 10/22- Sanville Depo Ex. 26                                  |
| ✓ 66(ID) | Email from Ms. Sanville to Mr Spafford- Sanville Depo Ex. 27                               |
| ✓ 67(ID) | 2/28/18 Email from Mr. Dempsey to Ms. Sanville- Sanville Depo Ex. 28                       |
| 68(ID)   | 4/18/18 Mr. Spafford to Ms. Sanville Email- Sanville Depo Ex.30                            |
| 69(ID)   | Smith & Wesson Rimfire Rifle Market Analysis- Sanville Depo Ex.34                          |
| 70(ID)   | Magpul Products - Unger Depo Ex. 2                                                         |
| 71(ID)   | 12/21/15 Mr. Beu Email - Unger Depo Ex. 4                                                  |
| 72(ID)   | 1/26/17 Email String Mr. Beu - Unger Depo Ex. 5                                            |
| 73(ID)   | Rifle Specification Form- Unger Depo Ex. 6                                                 |
| 74(ID)   | Design Requirements for Project Viceroy- Unger Depo Ex. 8                                  |
| 75(ID)   | 2/17/16 Email from Mr. Beu - Unger Depo Ex. 12                                             |
| ✓ 76(ID) | 2/23/16 Email String from Mr. Beu -- Unger Depo Ex. 13                                     |
| ✓ 77(ID) | 6/1/16 Email String- Unger Depo Ex. 15                                                     |
| 78(ID)   | Image of Ruger 1151 - Unger Depo Ex. 16                                                    |
| 79(ID)   | 7/26/16 Email String Mr. Dubois - Unger Depo Ex. 17                                        |
| ✓ 80(ID) | 3/18/16 Email String Mr. Beu- Unger Depo Ex. 18                                            |
| 81(ID)   | 2/17/17 Email String Mr. Unger - Unger Depo Ex. 20                                         |
| ✓ 82(ID) | 3/21/17 Email Mr. Beu and Mr. Pliska - Unger Depo Ex. 22                                   |
| ✓ 83(ID) | 8/26/16 Email Mr. Laney and Mr. Viviano - Unger Depo Ex. 23                                |
| 84(ID)   | 5/5/17 Email Mr. Viviano and Mr. Unger - Unger Depo Ex. 25                                 |
| ✓ 85(ID) | 5/3/16 Email Mr. Viviano and Mr. Matrishon Unger Depo Ex. 26                               |
| ✓ 86(ID) | Stage Gate Review May 16, 2016 - Unger Depo Ex. 28                                         |
| ✓ 87(ID) | 9/7/16 Email Marc Dempsey to Brian Gendron (and Excel Spreadsheet)                         |
| 88(ID)   | 3/1/16 Email String Tara Cowles and Mr. Unger                                              |
| 89(ID)   | 5/1/18 Email from James Unger to Ms. Sanville "Viceroy Training"                           |
| ✓ 90(ID) | 5/2/18 Email from James Unger to Mr. Santiago "T/CR22 Training" (with attached Powerpoint) |
| 91(ID)   | 11/16/17 Email from Mr. Unger to Ms. Sanville - Unger Depo Ex. 33                          |
| 92(ID)   | Images from Dr. Ericksen's Confusion Survey                                                |
| 93(ID)   | Images from Dr. Ericksen's Secondary Meaning Survey                                        |
| 94(ID)   | Serial number PV02635 - Volquartsen                                                        |
|          |                                                                                            |
|          |                                                                                            |
|          |                                                                                            |
|          |                                                                                            |
|          |                                                                                            |

Plaintiff incorporates by reference all exhibits attached to its Complaint,  
 Memorandum of Law Supporting Motion for Preliminary Injunction and Plaintiff's Reply  
 Plaintiff's Reply to Defendants' Objection and Opposition to Plaintiff's Motion for

Preliminary Injunction, and Objection to Defendants' *Daubert* Motion.

Respectfully submitted,

STURM, RUGER & CO., INC.

By its attorneys,

ORR & RENO, P.A.

45 S. Main Street

P.O. Box 3550

Concord, NH 03302-3550

Telephone: (603) 224-2381

Facsimile: (603) 223-2318

Dated: November 20, 2019

By: /s/ James F. Laboe

James F. Laboe (N.H. Bar No. 14571)

Lisa Snow Wade (N.H. Bar No. 5595)

**CERTIFICATE OF SERVICE**

I hereby certify that on this 20<sup>th</sup> day of November 2019, a copy of the foregoing was served this day on all Counsel of Record by filing the foregoing with the Court's ECF system.

/s/ James F. Laboe

James F. Laboe